

Message Text

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ACTION SCI-06

INFO OCT-01 EUR-25 ISO-00 EA-11 EPA-04 AID-20 CEQ-02

CIAE-00 COA-02 COME-00 DODE-00 EB-11 INR-10 IO-14

L-03 NSF-04 NSC-07 NSAE-00 PM-07 RSC-01 SS-20 SP-03

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FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC 3798

INFO AMEMBASSY BONN

USMISSION EC BRUSSELS

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E.O. 11652: N/A

TAGS: SENV, PFOR, NL, GW, US

SUBJECT: DUTCH INQUIRY RE US-FRG ENVIRONMENT AGREEMENT

REF: (A) STATE 123621, (B) HAGUE 2807

1. EMBOFF PASSED ON TO SOETERS (MFA) SUBSTANCE OF REF (A) ON JUNE 14, STRESSING THAT AGREEMENT, APART FROM PROVIDING BETTER FRAMEWORK FOR US-FRG COOPERATION, DOES NOT ADD SUBSTANTIVELY TO NATURE OF US-FRG COOPERATION IN ENVIRONMENTAL FIELD WHICH ALREADY EXISTED PRIOR TO AGREEMENT'S CONCLUSION. SOETERS INQUIRED AS TO LEVEL AND FREQUENCY OF US-FRG CONTACTS IN THIS FIELD. EMBOFF OPINED CONTACTS PROBABLY FREQUENT BETWEEN CONCERNED OFFICIALS BUT EXPLAINED THAT EMBASSY DOES NOT MONITOR THIS ACTIVITY BETWEEN US AND FRG AND SUGGESTED GERMAN COLLEAGUES IN THE HAGUE, WHO ARE CLOSER TO HOME THAN WE, MIGHT BE IN BETTER POSITION TO OFFER INSIGHTS INTO WORKINGS OF THIS COOPERATION. EMBOFF DREW SOETERS' ATTENTION TO FACT THAT THE TWO SENIOR US ENVIRONMENTAL OFFICIALS -- EPA ADMINISTRATOR TRAIN AND CEQ CHAIRMAN PETERSON -- HAVE BOTH VISITED

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HAGUE RECENTLY AND MET WITH GON ENVIRONMENTAL OFFICIALS,

INCLUDING MINISTER VORRINK.

2. SOETERS AGAIN ASKED SIGNIFICANCE OF USE OF TERM "CONSULTATIONS" IN SUBPARA G OR ARTICLE II OF AGREEMENT. EMBOFF DREW SOETERS' ATTENTION TO FACT THAT AGREEMENT DID NOT REQUIRE US SENATE ACTION AND IS THEREFORE NOT A TREATY. BESIDES, LANGUAGE OF ARTICLE II IS PERMISSIVE ("COOPERATION MAY BE UNDERTAKEN IN MUTUALLY AGREED AREAS"). THEREFORE, NEITHER PARTY IS OBLIGATED TO CONSULT OTHER PARTY PRIOR TO REACHING DECISIONS ON QUESTIONS OF ENVIRONMENTAL POLICY AND NEITHER PARTY CAN EXPECT TO BE SO CONSULTED AS A MATTER OF RIGHT. EMBOFF AGAIN STRESSED THAT TYPE OF COOPERATION COVERED BY THE AGREEMENT, AT LEAST FROM OUR POINT OF VIEW, DOES NOT DEPEND ON EXISTANCE OF A WRITTEN AGREEMENT.

3. SOETERS EXPRESSED APPRECIATION FOR INFORMATION AND SAID HE WOULD CONTACT GERMAN EMBASSY TO SEEK THEIR VIEWS ON WHY FRG FELT FORMAL AGREEMENT WAS NECESSARY, IF IN FACT IT SO FELT (HE UNDERSTOOD GENESIS OF AGREEMENT WAS FRG MIN INTERIOR DESIRE TO SPLIT OFF ENVIRONMENTAL ACTIVITIES FROM UGNR). HE PROMISED TO PASS ON ANY VIEWS RECEIVED TO EMBOFF.

4. COMMENT: WE FEEL MFA OFFICIALS' SHOW OF CONCERN OVER AGREEMENT'S IMPLICATIONS WAS OVER-REACTION AS RESULT OF AGREEMENT'S ANNOUNCEMENT CATCHING THEM BY SURPRISE. ADDITIONAL FACTOR IS PROBABLY THEIR PREDILECTION FOR USING FORA SUCH AS OECD FOR THIS TYPE OF ACTIVITY, AND THEY MAY HAVE FELT IMPACT OF AGREEMENT COULD HAVE BEEN CIRCUMVENTION OF ESTABLISHED INTERNATIONAL CONSULTATIVE MACHINERY. THEY SHOULD NOW, HOWEVER, FEEL REASSURED THAT AGREEMENT DOES NOT PREJUDICE GON INTERESTS.
GOULD

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